

July 12, 2022

Board of Supervisors Hearing



Cultural Heritage Ordinance Update



Resource Management Agency, Planning Division

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County of Ventura
Board of Supervisors
PL21-0102
Exhibit 4 – Board of Supervisors PowerPoint
Presentation, dated July 12, 2022



Today's Presentation

1. Cultural Heritage Board Program Background
2. Proposed Amendments to the Cultural Heritage Ordinance
3. Cultural Heritage Board Hearing and Recommendations
4. Public Engagement and Comments
5. Recommended Actions



Background

Background

Cultural Heritage Board Program

- *The Ventura County Board of Supervisors created the Cultural Heritage Board in 1966.*
- *The Cultural Heritage Board (CHB) is comprised of seven members.*
- *The CHB serves the unincorporated County and the cities of Fillmore, Oxnard, Port Hueneme, Thousand Oaks, and Simi Valley.*

Background

Primary Functions of the CHB (among others)

- *Review of new projects for potential impacts to historic properties*
 - *Issue Certificates of Appropriateness or Certificates of Review;*
- *Designation of Cultural Heritage Sites (Landmarks, Sites of Merit, Points of Interest, and Historic Districts);*
- *Review of Mills Act contract applications; and*
- *Educate the public on the benefits of historic preservation.*



Proposed Amendments to the Cultural Heritage Ordinance

Project Scope

- 1) Modernize the existing Cultural Heritage Ordinance.
- 2) Clarify review procedures for ministerial projects proposed on County Cultural Heritage Sites to incorporate best practices; and,
- 3) Explore the ordinance issues identified for further study.

Summary of Proposed Amendments

- Reorganization and Cleanup (throughout)
- Links the Purpose and Findings of the Ordinance to the County's Updated 2040 General Plan (Sec. 1361)
- New (14) and Revised (11) definitions for key terms (Sec. 1363)
- Changes the process for appointing the two Cultural Heritage Board At-Large Members (Sec. 1364-4)

Summary of Proposed Amendments

- Clarifies who may initiate designation of a Cultural Heritage Site (Sec. 1366)
- Aligns the criteria for a Ventura County Landmark closely with the National and State Historic Registers (Sec. 1367) by adding integrity as a requirement.
- New - Establishes a mechanism whereby the Cultural Heritage designation of a property may be downgraded by the CHB (Sec. 1368)
- New - Includes properties on the National Register of Historic Places and California Register of Historical Resources in the County's list of Potential Cultural Heritage Sites (Sec. 1369-1)

Summary of Proposed Amendments

- Identifies existing maintenance requirements for County property owners, including those of historic properties (Sec. 1369-7)
- Identifies available incentives for owners of historic properties (Sec. 1370)
- Identifies the existing opportunities to appeal CHB or CHB staff actions (Sec. 1373)
- Identifies the existing Planning and Code Compliance Division enforcement mechanisms for violations of the Ordinance (Sec. 1379)

Ordinance Issue Areas Explored

1. Make the Issuance of a Certificate of Appropriateness a Discretionary Permit subject to CEQA Review.
2. Remove the 180-day delay Following Denial of a Certificate of Appropriateness (this assumes the COA is a discretionary action and a delay is no longer needed).
3. Create a Discretionary Demolition and Substantial Alteration Permit.
4. Create a Downgrading/Delisting Mechanism for Cultural Heritage Sites.



Cultural Heritage Board Hearing and Recommendations

Cultural Heritage Board Recommendations

- CHB reviewed at March 14, 2022 and March 28, 2022 hearings
- The CHB voted unanimously to adopt a resolution with targeted revisions (Exhibit 3)

Staff Revisions since Cultural Heritage Board Hearing

- Projects at designated and potentially eligible Cultural Heritage Sites
 - to be limited to evaluating the exterior alterations of a structure, site, or object, except in the case of homes granted a Mills Act Contract by your Board
- Treatment of Ventura County sites listed in the National Register of Historic Places and California Register of Historical Resources (Sec. 1369-1 and Sec. 1371-1)



Public Engagement and Comments Received

Public Engagement and Comments received

- Public Comment
- State Historic Preservation Office

Public Engagement Opportunities

Date	Public Engagement Opportunity
September 26, 2016	Cultural Heritage Board hearing regarding potential Ordinance revisions
February 11, 2019	Second Cultural Heritage Board hearing regarding potential Ordinance revisions
March 11, 2019	Cultural Heritage Board hearing to conduct outreach with contract cities
March 14, 2022	Cultural Heritage Board hearing regarding proposed Ordinance
March 28, 2022	Second Cultural Heritage Board hearing regarding proposed Ordinance
July 12, 2022	Board of Supervisors Hearing
July 26, 2022	Board of Supervisors Hearing

California Environmental Quality Act (CEQA)

- Exempt from CEQA:
 - Planning Division staff has determined that the adoption of the proposed ordinance is exempt from CEQA review pursuant to CEQA Guidelines section 15061(b)(3) and CEQA Guidelines section 15308 (Actions by Regulatory Agencies for the Protection of the Environment).
 - Planning Division staff has also determined that no substantial evidence exists precluding the use of the above categorical exemption based on the presence of unusual circumstances or any other exception set forth in CEQA Guidelines section 15300.2.



Recommended Actions

Recommended Actions

1. **RECEIVE** the Cultural Heritage Board's March 28, 2022 Resolution (**Exhibit 3**), which recommends that the Board of Supervisors approve the proposed ordinance repealing and reenacting Article 5 of Chapter 3 of Division I of the Ventura County Ordinance Code, beginning at Section 1360, addressing the regulation of the County's cultural heritage;
2. On July 12, 2022, introduce and receive public testimony on the proposed ordinance attached as Exhibit 5, to repeal and reenact Article 5 of Chapter 3 of Division I of the Ventura County Ordinance Code, beginning at Section 1360, addressing the regulation of the County's cultural heritage;
3. At a second hearing on July 26, 2022, adopt the proposed ordinance and find that the ordinance is exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines sections 15061(b)(3) and 15308;

Recommended Actions (contd.)

4. Direct County Counsel to prepare a summary of the proposed ordinance pursuant to Government Code section 25124 (b)(1); and
5. Direct the Clerk of the Board to publish and post the ordinance in accordance with Government Code section 25124.



Questions?

Board of Supervisors Identified Revisions

"Demolition": The complete destruction or removal of a structure, tree, landscaping, or natural feature identified as a character-defining feature; the cumulative removal of more than 50 percent of the perimeter walls, roof, or floor area of a structure; or the removal of a substantial portion (more than 50 percent) of a street-facing façade visible from the public right-of-way.